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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,263	04/19/2004	James B. McKim JR.	10003851-3	9405

7590 12/23/2005  
AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
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EXAMINER

NGUYEN, JIMMY

ART UNIT PAPER NUMBER

2829

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No. 10/826,263	Applicant(s) MCKIM, JAMES B.	
Examiner Jimmy Nguyen	Art Unit 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 9/30/05.
- 2a)  This action is FINAL.
- 2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 6, 24 - 37 is/are pending in the application.  
4a) Of the above claim(s) 29 - 31 is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 6, 24 - 26, 32 - 35 is/are rejected.
- 7)  Claim(s) 27, 28, 36 and 37 is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All   b)  Some \*   c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **Election/ Restriction**

Newly submitted claims 29 – 31 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the newly submitted claims are directed to the method claims.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 29 - 31 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### **Response to Argument**

The examiner acknowledges the amendment filed 9/30/05 with the following effect;

Applicant's arguments has been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2829

2. Claims 6, 24 – 26, 32 – 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawata et al (US 4,979,066).

**As to claims 6, 32**, Kawata et al discloses (fig 1) a source having a impedance and connected to a load, the source comprising:

a detection circuit (2) to determine whether a current flow through the impedance is load induced or source induced (column 3 lines 35 – 38); and

a processing circuit (f signal, column 6 line 50 – 55) to perform an operation based upon whether the current flow is load induced or source induced.

Wherein the source is the measuring instrument (2, 5) further comprising an output indicator (d signal) which indicates whether the current flow is source induced or load induced.

**As to claims 24, 25, 33, 34**, Kawata et al discloses (fig 1) the source according to claim 6, wherein the detection circuit (2) determines polarities of the current flow and an output voltage across the load (1), and determines the current low to be source-induced or load-induced (column 3 lines 35 – 38) based upon the determined polarities of the current flow and the determined output voltage.

**As to claims 26, 35**, Kawata et al discloses (fig 1) the source according to claim 6, wherein the source is an active harmonic filter that selectively opposes currents generated by local harmonic sources while not generating signals to oppose currents caused by harmonic voltage sources located elsewhere in a system.

***Allowable Subject Matter***

3. Claims 27, 28, 36, 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record are fail to disclose the combination of the based claim with  
The source according to claim 6, further comprising:

a voltage source to generate an output voltage;  
a DC offset elimination circuit, which is a DC servo control loop connected to the voltage source, to eliminate DC offset voltages of the output voltage, and  
an output impedance circuit, which is feedback loop connected to the voltage source, to generate an output impedance for the source and which operates simultaneously with the DC offset elimination circuits, wherein  
the detection circuit is connected between the DC offset elimination circuit and the output impedance circuit, and determines whether the current flow is load-induced or source induced, and  
the processing circuit eliminates current flow which is determined by the detection circuit to be source-induced.


**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Nguyen whose telephone number is 571-272-1965. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramtez Nestor, can be reached on 571-272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JN.  
Dec 16, 2005

  
VINH NGUYEN  
PRIMARY EXAMINER  
A-4-2829  
12/19/05